G R S 58]

Order 22/4/16

Previous references
mf 66-15-83 11 2B Aug 1915-
" 262-14, 83 1 12B May 1915) 1916.
(Municipal)

File No 66-15

Serial Nos 3 to 6

Later references
mf 66-15-83 7-12 B July 1916
refig 44-13-16

Pursuance
to
22(4)32

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 3 to 6

Part B for February 1916

SUBJECT

Anony mous petition complaining of certain irregularities in the matter of remission of Rs 5000, granted to Ismail Saheb, Toll gate contractor of Davangere

To Hy Comm^r Chitaldrug &c
No 6296 of 20.2.16

States that Govt consider that it would be sufficient to allow a remission of Rs 2500/- only and requests him to advise the municipal Council of Davangere to reconsider their resolution to grant a remission of Rs 5000/-

W D 1651—GPB—20,000—12-12-15

Mr. D'Souza
24/4/16

G R S 11] 1915

GENERAL AND REVENUE SECRETARIAT

(Mural)

NOTES

File No 66-15

FILE HEADING

Remission of the contract amount for collecting toddy at Bavanagere during 1914-15.

From

No.	Dated	Received
Diary No	Enclos / Spare Copies	Serial No

BRIEF ABSTRACT OF LETTER

NOTES AND ORDERS

NOTES—First Sheet

PJO

[R S 12]

General and Revenue Secretariat

Ind File No 66 of 1915–16

Serial No 1

Anonymous petitions from the inhabitants of Chittagong town

Alleges that the Sub Divisional Officer and President of the municipal Council of Chittagong has used his official influence for getting a remission of Rs 5000 sanctioned to the toll-gate Contractor Ismail Haji of Bellary on the ground that the Contractor sustained heavy loss when he has actually suffered no loss and attributes motives of illegal gratification to the officers & officials

Ind 66 – 15 Sls 1-2 B Aug 1915
Ind 262 – 14 Sls 1-2 Bellary 1915

1 The references put up indicate the several stages of the question of remission referred to in the petition. Orders are solicited if the petition may be sent to the Efficiency Audit Branch of any action is deemed necessary?

KP 10/9/15.

2 under what rule audit?

BE — Kind reference is invited to para (i) of G of G 408-454-E A 3-15-1 of 3 9.15 — re Scheme for securing

NOTE—Contin sheet

GPB—25,000—30-1-15

G R S 12]

1650

General and Revenue Secretariat

Hel File No 66 of 1915-16

Serial No	
	Prompt Enquiry into cases of persons Complaints & irregularities.
	14/9 Papers may be sent to Mr. N Madhava Rao
	15/9
	Papers in any relating to the subject of the recession may hereby be put up
	Bom 1919
	6. Dealt with the following files. —
	(1) Memo 262-14 Ds 1+2
	(2) Do - 66-15-Ds 1+2
	7 The question has been previously dealt with in Pol IV. Perhaps it seems better that if the present anonymous petn is also dealt with there especially as the case in Pol IV has not been finally disposed of and the petn on the same subject ought have to be put up as reference in connection with the final decision of the case.

Subs

One 66-15 Ds 1-2 B Aug 1915

& One 262-14 Ds 1-2 B May 1915

noted in the margin

of the previous page

These notes may be

obtained from the records

Ks

T. Rots to Records

dr 15-11-15

15/11/15

NOTE—Contn sheet

G1P925 000 -30-4 15

G R S 12]

General and Revenue Secretariat

File No 66 of 1915-16

Serial No	
	Remembrancer
	8) The Supdt of Br IV wants back this file as a further reference has been received from the Subject
	From 28/9/15 To Br IV Rec'd 29/9/15
3	From 10) The Deputy Commr Chitaldrug Dt No 139 dated 17 9 15
	With reference to this office letter No 1354/Rev 66-15-2 dated 14 8-15 forwards for favor perusal and orders a copy of the resolution of the Municipal Council of Davangere recommending a remission of Rs 5000 in favor of the toll gate Contractor for 1914-15
	11) The Scale of the right of Collecting municipal tolls is Confirmed by the Mal Councils & not by Govt. Under Sec 40 & the following sections of the Mal Act the Mal Council appear to be Competent to vary the Contracts which they have agreed to. And as such it appears that Govt Sanction is not necessary to write off the sum of Rs 5000 if the Mal Council choose to do so on reasonable grounds. The recommendation is based on Contractor's accounts which the Council have no means of

NOTE—Contn sheet

GPS—20,000—20-6-15

n KP

Has the Govt Order vii at disposal of this question?

12.

Flag X

Serial No

12) Put in an anonymous petn received from the Davangere people It is alleged that the President of the Jail Council has used his influence to secure to the Contractor the remission though he has not really suffered loss One argument put forth to prove that he might have suffered no loss is that the Contracts for the year 1915-16 also has been taken up by the same Man for nearly as large an amount as in the previous year Subs of orders K.P.

30/9 13) Apparently there is some justification 2/10 for the complaint mentioned in the anony mous petition Out of 11 who are represented in the report as having been present at the meeting, 5 are official members and 6 non official members Of these, two seem to have left the meeting, before votes were taken, and 9 are said to have been present Of these 9, two non official members are said to have voted against the recommendation of the two who left the meeting are also non official, when the resolution must have been supported by official and 7 non

NOTE—Contn sheet

GPB—20 000—30 6 15

Serial No

nonpayment. Under these circumstances it is a point for orders whether the resolution may be accepted

14) During the fair that the same contractor has taken up the contract this year for very nearly the same sum indicates that there could not have been much loss as put forward

Sg 4/10

Secretary)

13-14 - Rs 22,200/-

14-15 - Rs 22,800/-

15-16 - Rs. 21,000/- odd

15) The question is whether the resolution of a majority of the Davangere municipal Council is to be overruled on account of the statements in the anonymous petition

G O No 1205-14 dated 3rd Aug 1910 Flag W

Rev Dept No 65-10-2

A recent reference from the Deputy Commr of Chitaldrug Dt is also pending before 2nd member

Vide D No 7086 dated 24/8/14 to 2nd member

According to the orders of Govt passed in 1910 (cont[d]) the Deputy Commr has only nominal powers of control over the municipal affairs of Davangere

So the Govt has either to accept or reject the munic

NOTE—Contn sheet

GPB—20 000—30 6 15

R S 12]

General and Revenue Secretariat

Ind File No 66 of 1915-16

Serial No

Council's resolution

2nd November 1915

Extract read in a Council and recorded the resolution that a vote of thanks be accorded to the officers who were in the campaign fund. and provided the allocations and under my control & be made out to the Inspector General & Comptroller Indian Expeditionary & the Officiating Audit Officer.

It is not clear why only 9 were present out of 11 when votes were taken. It is presumed that the remaining two members must have agreed only.

It may be pointed out that presumably they have passed & did not vote.

It may be considered who these members were & what exactly they did

The letter may be transmitted to the Officiating Audit Officer for required action

8/10/15

9/10/15

NOTE—Contn sheet

GPB—50,000—Ex(Officiating Audit Branch)

G R S 12]

General and Revenue Secretariat

File No 66 of 1915-16

Serial No

Mis no 315/S-A
1-11-16

12/10/15

The petn may I think be sent to the Dy commrs for enquiry & report on the various points mentioned above - Sub with a draft Mr Krishna Rao may be sent if the DC requires his services

Sec
Second member absent

19/10/15

Draft approved

1/11

seen

3/11

Draft approved
4/11

I agree - May issue

9/11/15

Draft approved

11/11

11/11

2221
4/11/15

To

The Deputy Commissioner, Cuttack

District D-o No 765-E R/Genl of 12-11-15

Forwarded an anonymous letter containing certain allegations with reference to the refund recommended in favour of the Ml Govt Contractor of Danagere for confidential enquiry and report and informing that the services of Mr Krishna Rao will be placed at his disposal

NOTE—Contn sheet

GPB—20,000—30-6 15

R S 12]

General and Revenue Secretariat

Jud File No 66 of 191 5-16

Serial No

Disposal of required

No 20 C I dated 19-11-1915 from the D C, Chittagong

Requests that the enclosures sent with letter No 139 of 8-9-15 in connection with Toll contractors case at Dawaneghee may be sent to him for reference

To The Deputy commissioner, Chittagong

No 846 of 23-11-15

Returns the enclosures sent with his letter No 1397 of 8-9-15 and asks for early datails

Perom the Dy Coml Chittagong Sr Inspr his report in the matt

The Dy Coml's report is full, and shows that the case is not one worth pursuing further No more notice need be taken of the anonymous petition

The suggestion that the remaining Rs 2500 may be sanctioned has been considered by the administrative branch while fairly disposing of the Imperial Commercial proposal

Note—Contn. sheet

GPB—20,000—20-6-15

27/12

(10)

R S 12]

General and Revenue Secretariat | NW File No 66 of 191 S—4

Serial No.

24 Yes: the file may be transferred to Bar W. Pres. for perusal & return

KVT
28/12/15

Hon
29/12

W
29/12

Hon TV
Subd

25 The municipal Council have recommended the remission of Rs 3000 while the Dy Comm in his Confidential report suggests a remission of Rs 2500 only and States that there is no use in remitting the Question to the Municipal Council again There is no provision in the Mll Regulation which empowers Govt to veto or modify the recommendation of Municipal Councils in such matters Orders are solicited if the question be once more remitted to the Mul Council for reconsideration in order to be formal, in Spite of the Dy Comms statement that there is no use in doing so? ~~as the Mul Council is forced that~~

Subd for Orders

[P. S. O]

30/12/15

Attention is also invited to G.O No 4834-/47 120-92 dated 24 9 1892 Flag N

L W. 4/2

NOTE—Contn sheet

Serial No

26 Definite information may, if allowed, be called for on the points referred to in the latter part of the 2nd Member's orders (para 17 supra).

27 In connection with the question of remission, the following points seem to require consideration:—

(a) Whether Govt can interfere

(b) If so, whether Govt can modify the resolution of the Munb. Council

(c) How far the proposed remission is justifiable

28 As regards the first point, it is submitted that there is no specific provision in the Regns under which Govt can interfere in a matter of this kind. But, there is nothing to prevent Govt from offering advice to Munb. Councils where desirable so as to save them from financial embarrassment and save Govt also the necessity for exercising their extra-ordinary powers under Sec 179 in extreme cases. One other aspect which may probably necessitate such interference arises when the President of the Munb. Council whose function is to watch over its financial admnstn

Sec 24 1 (b)

(11—70 000—17 19 1

Serial No

happens to be a representative of the Govt. In that case, the rate-payers while prosecuting by the official experience and the expense of the State look askance at Govt. when anything goes wrong. Thus while the local body wishes of relieving Govt. of much of their administrative work creates additional responsibilities for them therein probably lies the real significance of Sec 180 of the Regn.

2. With reference to the 2nd point, Govts have not been generally modifying the resolutions of Munc. Boards even in the case of non-regulation municipalities, and in the absence of specific provision in the Regn somewhat on the lines of Sec 68, they may not perhaps modify the resolutions of Regn Munc. Councils. It is therefore submitted that, where an alteration in the resolution of a Munc. Council is considered desirable and the subject matter of that resolution does not come within the purview of Sec 174, the question may be remitted to the Munc. Council for reconsideration in the light of any advice which may be communicated to them. For decision

NOTE—Contn sheet

Serial No

the remedy lies in Sec 179

30. The 3rd point will have perhaps to be decided wholly on facts. The Contractor deliberately raised the bid at public auction evidently to out-bid other competitors. He was not new to the work and was well aware of the conditions of sale. His bid can scarcely be considered as inflated. The following are the bids for the 3 years during which he has been the Contractor:-

1913-1914 = Rs 22200
1914-1915 = Rs 22,800
(Year under refee)
1915-1916 = Rs 21,000

The Munic. Comrs' recommendation is based on the statements of the Contractor. There is no reliable data on which the actual extent of loss to Contractor can be fixed. In his confidential report, the Dy Comr recommends a remission of Rs 2500/-. Even here, he is not positive but leaves the matter entirely in the hands of the Govt. The Munic Comrs itself is not unanimous on the question of remission.

vide para 8 of the letter under disposal

31. About the Collection of Khoti

NOTE—Contn. sheet

Serial No

following facts are submitted. The Contract amount is Rs 22800/-. The Contractor has paid to date Rs 17800/- and has been permitted to withhold Rs 5000/- pending Govt. orders on the Municipal Council's recommendation. Paragraphs 4 & 5 of the Note announcing the scale of the right to collect both lay down the time and manner of payment, and Article 173 et seq of the Municipal Account Manual prescribe the method of collection. In view of these provisions, the correct procedure for the Municipal Council and its executive to adopt was to proceed to collect the Khists in respect of which there had been default and then make such proposals in favour of the Contractor as they might consider suitable. In other words, a recommendation for a refund instead of a remission might have perhaps been more appropriate in this case, the more especially in view of this office Communication dated the 10th May 1915 that it was premature to consider the question of remission by the close of the year

MAS 1/1/16

NOTE—Contn. sheet

C I B —70 000— 17 12 1

Serial No

32) Technically the case may be looked at from a point of view different from that noted above. The contract is one which does not require the Sanction of Govt for its validity The Council can also compound or Compromise in respect any claim or demand arising out any contract entered into by them (vide S 163) under the circumstances, therefore the Council can enter into any terms they like in regard to the claim But the Council need not have consulted the Govt in the matter, and the question of Govt right does not seem to arise

33) But from the administrative point of view, the step proposed by the Council may be inadvisable to adopt The Council may be considered as having requested Govt to advise them in the matter and especially considering that Govt's help is needed in more cases than one upon patance The Contractor does not take up a contract without hopes of profit Legally in the present case the contractor cannot claim any remission of his gains to a contemplated If he has made enormous profits in any one year, the Mc council cannot demand a portion beyond what is legally due from the contractor He must take the benefit of both good & bad years In this view, the Dy Comr may be right in saying that

G R S 12]

General and Revenue Secretariat | Mc File No 66 of 1915-16

Serial No	
	Govt would not agree his Council & remit the sum proposed
	34) As his Dy Comr's report does not establish any moral culpability against the officer, no further action seems necessary on that point the report, however, does not [illegible] to the question of the Second Member. GS 4/11/16
	Secy 35) The Secretary may be appointed and a Sanad to resign thereafter from the Dy Comr [illegible] 5/11/16
	36) Draft put up for approval or other orders. KB 5/11/16
	37) Bromley 6/11
4	The Dy Comr, Chitaldrug Dist No 5032 dt 10-1-16 Enquires how many Councillors attended the meeting and of any abstained from voting or had left the meeting at the time of taking vote

NOTE—Contn sheet

G.P.B.—70,000—17 12-15

Serial No 3

From

The Dy Comm^r Chitaldrug Dt No: 392 dated 9th Feb 1916

States that at the beginning of the Davangere municipal Council held on the 28th 1st, Councillors were present and that two of the Councillors Viz the Sub Assistant Surgeon Mr M Sangappa left the meeting before the votes were taken

38) Submitted with reference to remarks of the 2nd member in para 17 supra. The absence of the member from the latter part of the meeting has apparently no connection with the ~~proceeding~~ which was discussed. Orders are now necessary

71

KR 14-2-16

39) Be ~~the~~ on the resolution of the Municipal Council to sanction a ~~reduction~~ remission of Rs 5,000

40) The Dy Comm^r has recommended a remission of only Rs 2,500

41) Kind reference is invited to paras 25 to 34 supra

Revenue

Asst 15/2

Put 17/2/16

2nd Member

42) The Council may be [illegible]

NOTE—Contn sheet

(17

G R. S 12]

General and Revenue Secretariat

Mis File No. 66 of 1915—16

Serial No

advised [illegible], in view of [illegible], a remission of Rs 2500 [illegible] be allowed [illegible] necessary and that no [illegible] reconsider [illegible] resolution in view to [illegible] advice. This is [illegible] case [illegible] should [illegible] all [illegible] concerned

[illegible]

19/2/16

(3) For [illegible] accdgly

19/2

19/2/16

19/2

(4) Draft put up for approval or other orders

Draft revised & submitted

KP 21-2-16

KP 23/2

(5) [illegible]

23/2

24/2

6 To

The Dy Comm, Chitaldrug Dt

No 6296 & 26 2 16

Informs him that the Municipal Coun. of Davangere may be advised to reconsider their resolution & allow only a remission of Rs 2500 to the toll Gate Contractor

Contn sheet.

GPS—40 000—17 1 21

19

This year ,(1915-16) the same contractor made contact for Rs.21000 and odd.If he had realy suffered such a big loss,would he have ventured to make contract for another year for Rs.[illegible]000 and odd which is only Rs.2000 less than the previous year .It is evident by this,as people here say,he has not suffered any loss.The sympathetic subdevision officer is trying his best to secure him the remission

The officer's interest and motive in this particular instance can better be imagined than described. Even after knowing all this if your honour deems it fit to sanction the remission ,the booty will be nicely distributed among the contracter ,officers and officials concerned.

There are very many other instances of a similar nature. This is a progressing Munacipality . Unless honest men are kept at such a very responsible posts, the country or the town suffers the consequence , and can never prosper.

We beg to remain,

Yours most obedient,loyal and

humble Servants.

D-320/Enc
171-1-15 20

DEWAN'S OFFICE
Date of Receipt 6 2 15
Petn. Regr No 6333

This was received by post in a cover addressed to the Dewan
6/2/15

To,

[illegible]

M.A.,M.L.,C.I.E.,

1st Commissioner, Lucknow Division,

Lucknow.

Honoured Sir,

The question of remission of the Dewanagiri surcharge.

In the year 1913-14 the Jury for the Dewanagiri Tehsil-cum-Toll contract for the current year. After excluding the said Tehsil-cum-Toll of the Dewanagiri, the remainder of the Jury's tariff was [illegible] to the Sub-Divisional officer without any [illegible] limitation. The Jury's tariff was [illegible] for the current year [illegible] remission to the extent of Rs 500

The matter was then brought before the Municipal Board [illegible] Board resolved to vote in favour of remission but [illegible] for it. It was resolved as per the letter for the [illegible] Dewanagiri Board was still in the time [illegible] Dewanagiri could not be remitted. The Sub-Divisional officer has [illegible] interests in the matter, in order to [illegible] direct interest in the subject [illegible] Municipal Board, [illegible] to the [illegible] to [illegible] special [illegible] it has to be [illegible] before [illegible].

The [illegible] of Rs [illegible] of the Jury [illegible] from the current [illegible] requests [illegible] the [illegible] that [illegible] the [illegible] should be [illegible] of

[illegible] officers [illegible] the

[illegible]

[illegible] this year, [illegible] the same contractor [illegible] cost for [illegible] [illegible]. If he had really suffered such a big loss, would he have ventured to make contract for another year for Rs. [illegible] and odd? Which is only Rs. [illegible] less than the previous year. It is evident, by this, as people here say, he has not suffered any loss. The [illegible] television officer is trying his best to secure him the remissio[illegible]

The officers interest and motive in this particular instance can better be [illegible] than [illegible] hereafter I will [illegible] this, if your honour or your [illegible] it fit to sanction the remission [illegible] to it will be [illegible] distributed among the contractor, officers [illegible] officials concerned.

There are very many other instances of a similar nature. This is a [illegible] Unless honest men [illegible] such a very [illegible] state, the country or the town suffers [illegible] consequence, [illegible] over [illegible].

I am, Sir,

Your most obedient, humble servant

[illegible]

Gen. 4/11/75

G R S 26]

File No
Serial No

Diary No of letter replied to

Do No 765/Gen-1/Gen

General and Revenue Secretariat
( )
, *the* 191

To

C S Balasundaram
Esq

Dy comm, Chitaldrug

Date of issue 12-11-75

Signed by Jas R Madhava Rao.

Dear Sir,

I am desired to forward herewith an anonymous petition containing certain allegations with reference to the reported recommended in favour of the Municipal toll contractor of Davanagere. I am to request that the matter may be

over

SUBJECT

confidentially investigated and the result reported to Govt as early as practicable. If desired, the services of Mr C Brinsley Rea of the Efficiency Audit Staff will be placed at your disposal for a short period, for the purpose of the investigations.

Yours sincerely

Genl. Bridges

Min
19/7/15

Min
3/11

List of enclosures,

Copied by

Examined by

GPB—25 000—4-8-18

Confidential

D.O No 383
Encl

Office of the Deputy Commissioner
Chitaldrug District
Dated Chitaldrug 21st Dec 15

DIARY No 2548
1915-18 HG
SECTION Confl
FILE 0
DEPT 0

Dear Mr Madhava Rao,

With reference to your letter No 765 dated 11th November 1915 forwarding to me for Confidential Enquiry a petition containing certain allegations with reference to the refund recommended in favor of the late Contractor of Davangere, I write to say that I have a visit to Davangere from the 15th to 18th instant and Enquired into the matter I sent for the non-official members of the Municipal Council and had Confidential talks with each of them on the subject

2 Out of the ten non official members I could not meet three, viz Mr Brahmappa who was not in town and Messrs Hassan Ima Sab and Nagamachar of Sangapra, who were reported to be too ill to attend I note below

very briefly the opinions of the other members

1 Mr M Shadakshariappa is strongly of opinion that there is no reason to make a remission Contractor's accounts cannot be relied upon Though trade was slack for some time after war was declared, it recovered in the latter half of the year If contractor had suffered serious loss, he would not have taken up the Contract this year again for Rs 21,000

2 Mr Onkarappa is of the same opinion as Mr Shadakshariappa

3 Mr Savalgi Nagappa is strongly in favor of the remission He has personal knowledge that the Contractor suffered loss and was put to Considerable difficulty in finding money to keep up his Khists Regular daily accounts are kept in the Toll houses and accounts may be relied upon He thinks that messrs Shadakshariappa and Onkarappa are influenced by

private motives in opposing the remission
As regards the Contract of this year, Ismail Sab
and other former Contractors had combined
together and resolved not to bid above Rs 15000
At Sale the Sub Division officer fixed Rs 17000
if the average of past 3 years as the minimum
for which bids would be accepted This broke up
the combination and after some time bidding
went on and as usual at Anchovis, there was
excitement and finally the Sale stood at
Rs 21 000 The Contractor also hoped to
recoup his losses this year

4 Mr Swaramaselly thinks that Trade
suffered last year and that the Contractor
might perhaps have just recouped his
expenses and Contract amount but not
made any profit He Considers that a
remission of half the amount now
recommended would be fair

5 Mr Dogahaly Basavannappa - Is a newly appointed member, who did not take part in the meetings that dealt on the subject. He is of opinion that there is no reason for the remission

6 Mr Seshayya - Is also a newly appointed member who has not attended any meeting of the Municipal Council yet. He was a Railway Station master at Davangere for 16 years and has retired recently. He says that last year, there was decrease of 1 lakh in the Railway Earnings of the Davangere Station, which denotes a loss of about 10 lakhs in the value of trade in the town. He thinks that a cartload of goods coming into the town may be valued at Rs 25/ on an average, which should mean a decrease of 40,000 carts

He

He thinks that the toll receipts may have suffered

7 Mr Vimpanna — Thinks that the Toll Contractor has had loss Business last year was slack Contractor has taken up Toll Contract this year owing to pressure & in the hope of making up losses As he put it, "if a man drops a jewel somewhere, he can get it back only if he looks for it where he lost it"

3 As regards allegations imputing motives to officers and insinuating prospective corruption, I question most of the above and particularly those who expressed themselves against the remission Beyond admitting that such a rumour was prevalent, none of them was able to make any more definite statement Mr Shadakshara

who spoke quite freely and who would, I have no doubt, have had no hesitation in making a definite statement, if there was any foundation for it, could not say anything more than that there was a common rumour about Corruption

4 As regards the allegation that the subject was not placed before the Municipal Council properly I find that the subject was included in the agenda of the March meeting and fully discussed on the occasion

5 The President's recommendation of 12th July 15, was sent up without consulting the Municipal Council again in view of the fact that the Council had already approved of the remission in March The Revenue Secretary's letter No 1354 of the 14th August 15

asking that the matter should be placed before the Municipal Council again reached this office on the 17th August and was received by the Municipal Secretary on the 25th August or so, just one or two days before the meeting of the 28th August for which a notice had already been circulated the subject was therefore brought up at the meeting as an additional subject, though it was not included in the agenda

6 As regards the view taken by the Municipal Council, Mr Shastrishastha considered that most of the members lacked independence of judgement and opinion and followed the lead of the President as the view he took Mr Nagappa on the other hand was of opinion that the majority on both occasions took

the right view on the merits of the question while Mr Shadakshariappa and Mr Ourkaraffa held a perverse view for other than public reasons

I have thus given you an account of the enquiry made Considering the whole case, I do not see that there has been any corruption or perversity in the manner in which this tax remission has been dealt with by the President of the Municipal Council As you will see there are two sections among the non officials themselves holding extreme views & there is another section intermediate in opinion, whose adherence to either side might perhaps have been influenced by the other attitude & attitude of the official Element on

the municipal Council I am inclined to think and in the circumstances, it is only bare justice to do so that the President knew that there was a good case for remission was a bonafide opinion and that there were no other influences behind the scenes

8 As regards the final disposal of the case on its merits, it might perhaps be best, if government approve of a remission of Rs 2500/- only instead of Rs 5000/- as recommended by the Municipal Council there is no use in remitting the matter to the Council again

9 As regards future arrangements I consider it desirable that ticket books should be printed and issued by the Municipality to the Contractor after

recovery of the actual cost of supply and that the used up books and Counterfoils Should be returned to the Municipality from time to time To prevent fraud the Colors of the tickets may be changed Every year Such a System will Enable the Municipality to ascertain with accuracy the gross income from the toll and will help it to break up any undue Combination among Contractors and otherwise protect its revenue The introduction of this System will not imply any liability on the part of the Municipality to grant any remission or Concession to the Contractor I discussed this also with the members and

they are all in favor of its adoption

I return herewith the papers received with your letter No 826 of the 21st November & the petition under report.

Yours Sincerely,
C Balasundaram Secy to Govt

To

N Madhava Rao Esqre B A B L
Assistant Secretary to Government,
Bangalore

459 (35

C 1

B IV & VIII (Confidential)

Let this be sent under a confidential cover to the DC Chitaldrug

19 - 9
SECT 1 E & A B

19 Nov 1945

DO Mashkan No 20/11/15

Dear Mr Thyagarajaiyer,

Please refer to my official letter No 139 Dy E/18 Sept 15 re the remission of 5000 Rs to the Toll Contractor at Davangere

The enclosures sent with that letter are required for reference in connection with a petition sent to me for report from the E & A Branch, & I shall be obliged if you can kindly let me have the papers at your early convenience I shall return them to you as soon as possible.

Yours sincerely,

C S Balasundaramiyer

G.R S 13]

Routine Notes

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Dear Mr Mashruwala,

May I know if the papers referred to are in your Branch, and if so, may I request you kindly to hand over to Mr. Bala Sundaram Jr.

Yours sincerely,

20/11

Asstt D.O. is put up

22/11/15

22/11/15

N B —Should routine notes be written on small slips the notes must be copied, or slips pasted on this form

GPB—50,000—29-6-14

137

23-11-15

D.O 20 846

Spec 1/15 and acctg
with the Headquarters of the
Meeting

To

The Accountant,
Khurkot Engg.

Gentlemen,

With Reference to
your D.O. No C/1
of the 19th November 1915
I am desired to
return herewith the
enclosures sent with
your letter No. 139 of the
8th Sept 1915 Regarding
the Remission of Rs 5,000
to the T.O.R Contractor
at Dawangere

These papers having

D 1170
Mad Go-15-3.

Office of the Deputy Commissioner,
Chitaldrug District.
Dated Chitaldrug, 17th September 1915.

To
G. S. Subramanya Iyer Esquire B.A.,
Deputy Commissioner,
Chitaldrug.

From
V. N. Narasimha Iyer Esquire M.A.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Revenue Department, Bangalore.

Sir,

With reference to your letter No 1354/M1 66-15-2 dated 14th August 1915 re remission of Rs 5000 to the toll gate contractor of Davangere for 1914-15, I have the honor to state that the matter was again placed before the Municipal Council of Davangere held on 28th August 1915 when seven out of the 9 councillors present voted in favor of the grant remission of 5000 and the remaining two against it

A copy of the resolution is herewith submitted for favor of perusal and orders

I have the honor to be,

S I R,

Your most obedient servant,

C Balasundaram
Deputy Commissioner,
Chitaldrug District

S V

1/15

GPB—100,000—29-7 14

From The Deputy Commissioner
Chitaldrug District

To The Secretary to Government
Revenue Department
Bangalore

Dated

Despatched 18-45 September 1915

Received

General No 139
No

Enclosure No 1 & 1 file

Submitting for favour of perusal & orders a copy of the resolution of the municipal council of Davangere & re remission of Rs 5000/- out of the contract amount payable by the contractor of Davangere toll gate contract for the year 1914-15

1915 నాటి అసెంబ్లీ సభ్యుల జాబితా

Elected Members:-

శ్రీ ఎం. రామకృష్ణారావు — ఈ యొక్క నియోజకవర్గం నుండి ఎన్నుకోబడ్డారు

శ్రీ ఎస్. వెంకటరావు — ఈ యొక్క నియోజకవర్గం నుండి ఎన్నుకోబడ్డారు

Ex-officio members

(1) మిలటరీ-ఆర్థిక కార్యదర్శి

(2) సహాయ రిజిస్ట్రార్

(3) డి.పి.ఐ. సహాయ కార్యదర్శి

Non-official members

నామినేట్

X (1) ఎం. పుల్లయ్యగారు

(2) ఎం. వెంకట్రామయ్యగారు

(3) ఎం. సుబ్బారెడ్డిగారు

(4) ఎం. నరసింహులుగారు

X (5) ఎం. రంగనాథంగారు

(6) ఎం. కృష్ణమూర్తిగారు

నియోజకవర్గం

(7) ఎం. వీరాస్వామిగారు

X (8) ఎం. చిదంబరం పిళ్ళైగారు

(9) ఎం. వి. రంగారావుగారు.

(10) దివంగత వి. నారాయణస్వామిగారు (deceased)

మొదటి contractor వి 1914-15 లో [illegible] చేసిన పనులు అంటే వీరు చేసిన పనులు కాంట్రాక్టు 5 లక్షల రూపాయలు ఉన్నట్లయితే వీరు చేసిన పనులు 7 లక్షల రూపాయలు అయినట్లయితే వీరు చేసిన పనులు, మొదటి [illegible] గా ఉన్నట్లయితే వీరు చేసిన పనులు 1914-15 లో వీరు చేసిన పనులు 1354 రూపాయలు 11-15 లో చేసిన పనులు

[illegible]

Elected

Thammineni Krishnamma

Secretary

31/7/15 President

President

7/1 S / T 215/15.

G R S 26]

SUBJECT Remission of the toll revenue in Davangere for 1914—15

Diary No of letter replied to 23268

Section Jud
File No 66
Serial No 15—4

General and Revenue Secretariat
(Jud)
, the 191

No 5032 ans v ht
and 66-FS-4 of 10-1 16

Date of issue 10/1/16

To
The Deputy Commissioner
Chitaldrug Dt

Signed by M A V Ramanathan

Sir,

With reference to your letter no 139 dated the 17th Sep 1915 and subsequent D O Correspondence in the matter of remission of Rs 5000 to the toll gate Contractor of Davangere for 1914 15 I am directed to invite your kind reference to the Municipal Council

Resolutions in the matter
passed at their meeting
held on the 28th Aug 1915
and to request you to see
so good as to ascertain
and report how only
9 ~~Members~~ Councillors are stated
to have been present at
the time of taking votes
while 11 Councillors ~~are~~ including the President & Vice
~~are~~ are shewn to have attended
the meeting and whether
two of the Councillors abstained from voting or had
left the meeting before the
votes were taken and if so
~~and if so~~ whether them
who they were ~~did so~~
2 Nil entries records are hereto to be sent for reference &
favour of return I have etc

Flag B

List of enclosures

Hon 6/11/16
for Secretary.

Copied by

Examined by

GPB—20 000—14 2 14

A 263
Mul 66-15-5

Office of the Deputy Commissioner,
Chitaldrug District.
Dated Chitaldrug, 9th February 1916.

From

C. S. Balasundaram Iyer Esquire B.A.,
Deputy Commissioner,
C h i t a l d r u g.

To

V. R. Thyagaraja Iyer Esquire M.A.,
Secretary to the Government of
H. H. the Maharaja or Mysore,
Revenue Department, Bangalore.

S I R,

In reply to your letter No 5032/Ml 66-15-4 dated 10th October 1916 in the matter of remission of Rs 5000 to the toll gate contractor of Davangere for 1914-15, I have the honor to state that the President of the Davangere Municipality reports that at the beginning of the meeting held on the 28th August 1915 there were 11 councillors present and that some_time after two of the councillors, viz the Sub Assistant Surgeon and Mr M. Sangappa left the meeting before the votes were taken

The records received with the above are resubmitted

I have the honor to be,
S I R,
Your most obedient servant,
[signature]
Treasury Assistant Commissioner,
For Deputy Commissioner,
Chitaldrug District
(Absent from station)

S.V.

JWS

GPB—30,000—25-9-15

1915-16

From

The Deputy Commissioner
Chitaldrug

To

The Secretary to Government
Revenue Department
Bangalore

Dated

Despatched 10th February 1916

Received

General No 392
No

Enclosure No 1 b/e

Stating that the president of Davangere municipality reports that at the beginning of the meeting held on the 28th August 1915, there were 11 councillors present & that some time after two of the councillors left the meeting before the votes were taken.

24 | X 44

G R S 26]

SUBJECT Remission to the toll Contractor in Davangere

Diary No of letter replied to 2969

Section 66
File No 15
Serial No 6

General and Revenue Secretariat
(Rev)
, the 191

No 6296
Mlff-15-6
9 2 16

Date of issue 9 2 16

To The Dy Comr Chitaldrug &c—

Signed by Mr A V Ramanathan

Sir

With reference to the Correspondence ending with your letter no 392 dated the 9th Feb 1916 re Grant of a remission of Rs 5000 to Ismail Saib toll Contractor in Davangere for 1914-15 I am directed to state that generally a person does not take up a contract without hopes of profit and that it

the terms of the contract
entered into by Ismail Sab
he is not legally entitled
to any remission but
for the special circumstances
of the case, however, I do not consider that
it would be sufficient
to allow a remission of Rs 2500 only.
2 I am therefore directed to request you to move
the Municipal Council
of Davangere may be moved
to reconsider their resolution
to grant a remission of Rs 5000
in the light of the above remarks
suggestion. 3 The records connected with the case
are herewith returned

Yours etc

List of enclosures

From Secy to Govt
24/2/11
Received
Rec

Copied by

Examined by

GPB—20 000—14 2 14